



IT IS ORDERED as set forth below:

Date: September 06, 2008

A handwritten signature in black ink, reading "Paul W. Bonapfel", is written over a horizontal line.

**Paul W. Bonapfel
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 7
)	
SOUTHSTAR FUNDING LLC.)	CASE NO. 07-65842-PWB
)	
)	
Debtors.)	
-----)	-----
)	
MORTGAGE ELECTRONIC REGISTRATION)	
SYSTEMS, INC., AS SERVICING AGENT FOR)	
EMC MORTGAGE CORPORATION,)	
Movant,)	CONTESTED MATTER
vs.)	
)	
SOUTHSTAR FUNDING LLC., Debtor,)	
HARRY W. PETTIGREW, Trustee,)	
)	
)	
Respondents.)	

ORDER MODIFYING AUTOMATIC STAY (Docket #615)

A hearing on the above-styled Motion for Relief from Automatic Stay filed July 31, 2008 by Mortgage Electronic Registration Systems, Inc., as servicing agent for EMC Mortgage Corporation, for itself and its successors or assigns came before this Court on notice August 27, 2008.

Relief is sought as to the real property now or formerly known as 722 SW 3RD Place, Dania, Broward County, Florida, as more particularly described on Exhibit "A" attached to the Motion for Relief from Automatic Stay. Neither Debtors nor Trustee oppose the relief sought. Movant alleges the Motion was properly served and the hearing noticed. Accordingly, it is hereby

ORDERED that the Motion is GRANTED as follows: the automatic stay of 11 U.S.C. §362 is modified to allow Movant to proceed to obtain possession of and foreclose or otherwise dispose of the Property, including sending notices and statements that may be required by state law to be sent; however, Movant shall promptly remit to the Chapter 7 Trustee, Harry W. Pettigrew, all such proceeds as exceed the lawful debt owed to Movant by Debtors.

END OF ORDER

Prepared and Submitted by:

/s/ Sidney Gelernter

Sidney Gelernter

Attorney for Movant

GA. State Bar No. 289145

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